

CLASSIFICATION OFFICE DECISION

Title of publication: Screenshot_20161003-075736.png

Other known title(s): Not stated

OFLC ref: 1700054.000

Medium: Computer Image File

Publisher: Not stated

Country of origin: Not stated

Language: English

Applicant: Philip Ragg

Classification:	Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.
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Descriptive note: None

Display conditions: None

Date of entry in Register: 22 March 2017

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 22 March 2017

Summary of reasons for decision:

The computer image file is a crude illustrated image that includes implied sexual activity involving a young child as part of a visual joke. The Classification Office has considered whether the image tends to promote or support the exploitation of children for sexual purpose and has concluded that it does not. It does however require an age restriction to limit the likely injury to the public good arising from children and teenagers misinterpreting the image. While most adults will find the image highly offensive, they will also be place the image within the context of deliberately provocative crude humour rather than any kind of condoning of sexual abuse of children. The risk of injury to the public good has also been balanced against the right to freedom of expression as set out in the New Zealand Bill of Rights Act 1990. A restriction to adults is reasonable and justifiable given the risk of injury to the public good that has been identified.